

Chapter 9.06**PROHIBITED ACTIVITIES**

(2573-10/82)

Sections:

- 9.06.010 Manned flight devices
- 9.06.020 Contents of application
- 9.06.030 Permit issuance
- 9.06.040 Exception to provisions
- 9.06.050 Penalty--Misdemeanor

9.06.010 Manned flight device. No person shall operate or permit the operation by any person of any aircraft, balloon, kite, ultralite aircraft, hang glider, or any similar device involving manned flight within five hundred (500) feet of the ground in the corporate limits of the city of Huntington Beach without first filing an application with the Chief of Police for a permit, accompanied by a processing fee of twenty-five dollars (\$25). (2573-10/82)

9.06.020 Contents of application. Applications for manned flight permits shall be made in writing, signed by the applicant if an individual, or by a duly authorized agent thereof, if a club, organization, or corporation, and shall contain the following:

- (a) The name, address and telephone number of the applicant, in the case of an individual; in the case of a club, organization or corporation, the names and addresses of the officers and directors thereof; and
- (b) The date or dates, location, time of day, and number of manned flights applicant desires to make. (2573-10/82)

9.06.030 Permit issuance. The Chief of Police shall issue a manned flight permit if he finds that:

- (a) The conduct of the activity will not create a noise nuisance under the provisions of Chapter 8.40;
- (b) The conduct of the activity will not create a dust problem under the provisions of Chapter 8.24;
- (c) The conduct of the activity will be in compliance with all applicable provisions of the Huntington Beach Ordinance Code with respect to land use; and
- (d) The applicant, prior to the issuance of such permit, shall provide evidence of public liability insurance and property damage insurance coverage, written by an insurance company acceptable to the city in the minimum limits set by resolution of the City Council. (2573-10/82)

9.06.040 Exception to provisions. No manned flight permit shall be required for any person operating aircraft under the provisions of federal law and regulations. Further, the foregoing sections shall have no application to the flying of unmanned kites, model airplanes and the like except as provided elsewhere in this code. (2573-10/82)

9.06.050 Penalty--Misdemeanor. Any person who violates or fails to comply with any of the provisions of these sections governing manned flights, or any of the terms, conditions or regulations of the manned flight permit, issued by the Chief of Police, shall be guilty of a MISDEMEANOR, and each day or portion thereof such violation is committed, continued or permitted shall be deemed a separate offense, and shall be punishable therefor by imprisonment in the county jail for not more than six (6) months, or by a fine not to exceed five hundred dollars (\$500), or by both such fine and imprisonment. (2573-10/82)